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Sheriff's Dept. Condemns Drunk Driving Laws

By: Deputy Sheriff H. A. White, Jr.

According to the Appomattox Sheriff's Department the lawmakers of Virginia have succeeded in practically making the drinking driver immune from arrest. They have so complicated the procedure for arresting the drinking driver, a potential killer, that a number of police officers in the State are looking the other way, where a drinking driver is involved. The State of Virginia has managed to come up with one of the most complicated drunk driving statutes of any of the 50 States of the United States.

Last year in the United States some 54,000 people died on the highways of this Country as a result of automobile accidents. This amounts to a city in population the size of Lynchburg or four times the City of Farmville, or 50 times the population of the Town of Appomattox. Alcohol was involved in automobile accidents in which 28,000 people died on our highways. This does not include the billions of dollars in property damage and personal injuries where the drinking driver was involved.

In the past several years the Federal Government has passed legislation on the purchasing and ownership of firearms in this Country. Although the Sheriff's Department has no statistics available to compare the number of firearms in the United States as compared to the number of automobiles in the United States, it is reasonable to assume that firearms owned, manufactured and sold would succeed those of motor vehicles; however, in the United States last year only 9,000 people died as the result of firearms.

In this society in which we live, there are two things which we have in common; one is that 85% of the adult population drive automobiles. Th other is that 85% of previous figure accounts for those people who drink and drive, and only approximately two per cent of these drinking drivers are being arrested, of which a large percentage of these are being dismissed in the Courts for reasons, as they should be, that they were not proven guilty beyond a reasonable doubt.

Let's take a look, step by step, of what a police officer in the State of Virginia must do when he arrests a person suspected of driving under the influence of intoxicating beverages or self-administered drugs.

First, he usually observes the operator of the vehicle committing a traffic violation, such as, running off the highway, crossing over the center line or the driver may be involved in an accident. Next, after the officer stops the vehicle he observes through physical appearance, odor of alcohol and other physical evidence that the driver is probably under the influence of alcohol. After making these observations, the officer then decides whether to arrest the subject for driving under the influence, If, in the officer's opinion, he has had too much to drink, the officer then goes through the time-consuming, complicated procedure of making the arrest.

He must first advise the driver of the vehicle that he is entitled to a breath – analysis – test; that he does not have to take this test unless he wishes to do so; that if he does or does not take the breath analysis test, it cannot be used against him in Court. If the subject states he wants the breath – analysis test, the officer must then wait fifteen minutes before he can administer the test. This is a safeguard in the event the subject had just taken a drink of alcoholic beverage prior to the officer stopping him.

The breath analysis test is a chemical screening device which must be offered the suspected driver by the police officer before he makes an arrest, which constitutes blowing into a glass tube connected to a plastic bag. The glass tube contains an acid which chemically reacts to alcohol. If the acid turns a green in color up to a particular mark graduated on the tub, the subject is assumed to have had too much to drink and still drive.

After the above procedure is completed, regardless of whether the subject takes the breath alayzien test or not and the officer has decided through his observation of his driving and conversation with the subject that he has had too much to drink and drive, he places the subject under arrest for driving under the influence. The officer must then go through this procedure. He must advise the suspected drunk driver that he must submit to a blood test. If the driver refuses the blood test, he will be arrested for refusing the blood test and his operator's license may be revoked for a period of 90 days for refusing the blood test. If the subject submits to a blood test he is then taken to a physician who takes two samples of blood from the subject whereby the arresting officer sends one to the Chief Medical Examiner's Office, Richmond, Virgina, and the remaining sample is sent to a State-approved private laboratory, chosen from a list furnished to the accused by the arresting officer.

The arresting officer must then explain to the accused that he had 72 hours to decide which private laboratory he wishes to send his sample. If the accused decides to wait before making his decesion as to what to do with his blood sample, the sample is then placed in the custody of the Sheriff or a member of his Department who must safeguard it for a period of 72 hours. After this time has elapsed, it may be destroyed.

This is what takes place if the accused consents to a blood test. Now let us take a look at the procedure in the event the accused refuses a blood test. After the officer has placed the accused under arrest and having advised him of his Rights to a breath analysis test and the Law requiring him to take a blood test, and he refuses, the officer then takes the accused before a Justice of the Peace where he makes oath that the accused has operated a motor vehicle while under the influence of intoxicants and on a separate warrant he makes oath that the accused has failed to submit to a blood alcohol test.

The Justice of the Peace then must under the Law again explain to the subject by reading the Code section governing the same as to why he must take the blood test. After this procedure is completed the accused is then asked to sign "A Declaration of Refusal". Now, if the accused refuses to sign the "Declaration of Refusal" then the Justice of the Peace must fill out a form which states the accused failed to sign the "Declaration of Refusal".

After these procedures are completed, the arresting officer must then fingerprint the accused. As all police officers know, it is sometime difficult to fingerprint a perfectly sober individual, and next to impossible to fingerprint a drunk individual.

For instance, if an accused was arrested at 1:30 a.m. on a Sunday morning and the accused complied with all phases of the Law, the arresting officer would spend a minimum of two hours, and in some cases, three to four hours in what should have been a simple arrest. He must contact a Justice of the Peace to issue the warrant, a doctor to take the blood test, fingerprints must be made of the accused, reports filled out for the Central Crimal Records Exchange and the Highway Safety Commission and arrest records made. This constitutes from one-third to one-half of a working day for the police officer on duty. If this suspected driver is convicted, the time involved in the arrest and in court is well-worth the effort, as the officer has succeeded in removing from the highways of this State a dangerous, potential killer.

Everyday much is written and much is said about the horrors of heroin, LSD, marihuana and other dangerous drugs. Without a doubt, nationwide, drugs and drug addiction is a crucial menace to our society, However, on the local level, in Appomattox County, probably very few people, with the exception of law enforcement personnel, doctors, pharmacists and educators, would recognize heroin, marihuana, L.S.D., speed, amphetamines and barbituates upon sight, much less abuse the use of them. On the other hand, however, there is probably not a single family in the entire county which has not been touched by the most abused drug of them all, alcohol.

Why our lawmakers have seen fit to so complicate the arrest of a drinking driver is beyond the comprehension of members of this department and very unreasonable to cope with. According to the statisticians, this year nearly 60,000 people will die on our highways as the result of automobile accidents. One family out of every five will be involved in some type of automobile accident. In half of the accidents a serious injury or fatality will be involved. In approximately half of these fatalities, the most abused and dangerous drug ever devised by mankind will be involved . . .alcohol.

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Town of Appomattox

The Pastor Speaks

THE BIBLE SPEAKS

BY LAWRENCE W. ALTHOUSE

CHEATING OURSELVES

Lesson for January 17, 1971

Background Scripture: Matthew 13:44-50; Luke 14:15-24

A father was bitterly lamenting his son's refusal to go to college, "I've tried to make him see what he's passing up, but he wouldn't listen," the man exclaimed, "Several years from now when he realizes that he can't get a decent job without a diploma, he'll regret this choice – but then it'll be too late!"

We can appreciate the father's feelings. Yet, we also know that this tendency to pass up golden opportunities is typical of human nature. Many of us can look back upon many bad choices which today we can hardly understand having made.

Deliberate Wrong Choices

The fact of human nature is that we often make deliberate wrong choices. We know something is good for us, but fail to make use of it, choosing something else which, at the moment, may be more attractive. The child passes up spinach for candy, regardless of his understanding that spinach is good for him and candy may not be.

If only this perverse tendency ended with the termination of childhood, but it doesn't. Adults continue to make these wrong choices, if on a more sophisticated level. Some people are inclined to continually complain that they "were behind the door when the goodies were passed out." There are times when we are tempted to ask whether they were behind the door by accident or chose to be there!

They Made Excuses

Jesus is speaking of this human tendency in his parable of the great banquet. He is picturing the imaginary scene of the great banquet of the Kingdom of God when the Messiah has come. This is what the people of Israel were waiting for with great eagerness. Yet, Jesus is picturing many of the people as choosing not to go to the banquet when at last it comes.

There are three typical excuses. One man has just bought a field and he is anxious to see it. Another has just purchased some oxen and is anxious to try them out. A third man has just married and wants to stay home. (Deuteronomy 24:5 provides the following law: "When a man hath taken a new wife, he shall not go out to war, neither shall he be charged with any business, but he shall be free at home for one year, and shall cheer up his wife which he hath taken.")

Each knew what he was passing up, yet chose a lesser good. Each was determined to do just what he wanted. Even though their excitement with a new field, a new set of oxen, or even a new wife would wear off in time, still they preferred these to the Kingdom.

This seems incredible that anyone would make such a choice, yet we make those kind of choices frequently in our own lives. Several months ago our church invited a speaker of national reknown to address a special occasion. The speaker was known for the excellence of her message and the compelling nature of her delivery. Her witness has changed many lives.

Missing Out

The night of the speaking came and the church was full. Yet, despite the "full" feelings, there was a sense of regret among the many people who came but who could have had so much by hearing her. Alternatives many had chosen included a bridge club, a night of shopping, and a night watching the television set.

This is typical of the many golden opportunities where we low to slip by every day. Too often not a choice between "good" and "evil," but between lower and higher goods. Often for some perverse reason we choose the lower good, deceiving ourselves whom we are fooling.

(Based on outlines copyrighted by the Division of Christian Education, National Council of Churches of Christ in U.S.A. Released by Communications Service.)

Near Pennington Gap two persons were arrested for speeding through radar. Two days later the same trooper at that same installation arrested his brother for the same offense. The brother was going the other way.

NOTICE TO DOG OWNERS

1971 Dog Tags must be secured not later than January 31, 1971 from the Office of the County Treasurer. If it is not convenient for you to come to the Treasurer's office in person, tags may be obtained by mail by stating the sex of the dog and sending amount as follows:

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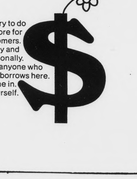

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NEW STORE HOURS

DEATHS

C. R. CHEATHAM

Charles Radford Cheatham, died at 7:30 p.m. Saturday after a local nursing home following a long illness.

Born in Appomattox County, he was a retired employe of the Chesapeake & Ohio Railway.

He had worked for 25 years.

He was a member of Centenary United Methodist Church.

He was married to Mrs. Carrie Mae Cheatham.

Surviving are two sons, William S. Cheatham of Lynchburg and Frank R. Cheatham of Altavista; a daughter, Mrs. Ruby Ryan of Miami, Fla.; two sisters, Mrs. Mag Worley and Mrs. Ella Ryan, both of Concord; 16 grandchildren, and 11 great - grandchildren.

Funeral services were conducted at 11 a.m. Tuesday from Virginia Funeral Chapel with burial following in Spring Hill Cemetery.

ANDREA R. BINEGAR

Andrea Renee' Binegar, infant daughter of Larry Binegar and Joanne Davidson Binegar, died Mon., Jan. 11 in Columbus, Ohio.

She was born December 22, 1970 in Columbus.

Besides her parents, she is survived by her paternal grandparents, Mr. and Mrs. Roscoe Binegar, of Waterford, Ohio, her maternal grandparents, Mr. and Mrs. J. Lyle Davidson, Columbus, Ohio; formerly of Appomattox.

She is also survived by her paternal great - grandmother, Mrs. Binegar of Marietta, Ohio and her maternal great-grandmother, Jessie H. Reynolds of Appomattox.

Funeral services will be held Saturday at 10 a.m. at Schaefer Funeral Home in Columbus, Ohio with burial in Marietta, Ohio.

PAMPLIN

Pamplin Ruritan Club will sponsor a First Aid Class to prepare the men and women of the Rescue Squad for the Pamplin Area. Anyone interested in attending the Class, contact Mr. O. H. Tolley, Jr. or Mr. Ralph Inge.

The Ruritan Club will sponsor The Little League Ball Club again this year.

Mr. Brett Watson of East Carolina visited his mother, Mrs. R. A. Watson, Darlington Heights, during Christmas.

Mr. and Mrs. Jim Baker are now patients in the Ranson Nursing home, Keysville.

Mr. and Mrs. Hubert Elam of Elam are patients at Behiah Cobb Home for the Aged.

Mr. Frank Cumby entered Lynchburg General Hospital last Saturdayand was scheduled for surgery Monday. We wish for him a speedy recoevery.

Mr. and Mrs. Edward Covington entertained the Youth Group of Elam Baptist Church last week.

Dr. and Mrs. C. H. McCall are expecting her sister, Mrs. John Sam Smith of Axton to visit with them this week.

Mr. and Mrs. Austin Goode of Dillwyn were guests of Mayor and Mrs. Richard Williams last Sunday.

Mr. and Mrs. Logan Caldwell formerly of Pittsburgh, Pa. and now of Charlotte, N. C. and Mrs. Arthur Totty of Roanoke visited Mr. and Mrs. T. E. Caldwell last Sunday. When

8-Point Buck

Vester M. Clifton (left photo) – out bird hunting recently – brought in an eight-point buck, but in a rather unusual way. The buck had tried to jump a fence at J. A. Paulette's property (right) but his rear legs got caught between the top and bottom strands of the barbed wire, and, unable to get loose the buck perished. Clifton said that he had no luck at all during the season in shooting a deer, but he would much rather have a sporting chance at a kill than find a deer in this way.

Is Semifinalist For Scholarship

Doris Evelyn Hix

Doris Evelyn Hix, daughter of Mr. and Mrs. Arthur Lee Hix, Pamplin, Virginia, and a senior at Appomattox County High School, is a semifinalist in the seventh National Achievement Scholarship Program for Outstanding Negro Students, announced by Edward C. Smith, president of the National Merit Scholarship Corporation (NMSC). Some 325 of the students will win Achievement Scholarships in the spring.

About 100 of the Achievement Scholarships will be four-year renewable awards ranging in value from $250 per year to $1,500 per year ($1,000 to $6,000 over the four years). The exact amounts depend on the individual need of the winners. These four-year awards are sponsored mainly by corporations and corporate foundations. About 225 of the awards will be National Achievement $1,000 Scholarships that provide a single payment of $1,000 to the winner when he enrolls in college.

The Achievement Semifinalists were selected from 36,000 black participants from more than 4,800 schools nationwide. The Semifinalists were the highest scorers in their geographic regions on the National Merit Scholarship Qualifying Test (NMSQT) administered last February.

Semifinalists who advanced to Finalist standing are considered for Achievement Scholarships. Semifinalists become Finalists by receiving the endorsement of their schools, taking a second examination, and meeting other standard requirements. The 1971 Achievement Scholarship winners will be announced in March.

Roster giving the names of Semifinalists have been sent to all accredited colleges and universities. These rosters help colleges locate talented black students, according to Mr. Smith.

Black students compete simultaneously in the Achievement Program and the National Merit Scholarship Program, both of which are administered by NMSC.

The Achievement Program was created by a $7 million Ford Foundation grant to NMSC.

Vo-Ag Student Teachers

Two students from the Agriculture Education Department of Virginia Polytechnic Institute and State University are doing their teaching at Appomattox County High School. They are from left to right Donnie Hylton, and Mr. Larry Hylton. Both men are from Patrick County where they attended Woolwine High School. After graduating from high school they went to V.P.I. This year both men are seniors there. Donnie is a member of the Colligate FFA Chapter and the Block & Bridle Club. Larry is a member of the Colligate FFA Chapter, the Alpha Zeta, and the Block & Bridle Club. After graduating from V.P.I. S.U. both men plan to teach.

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Churches Plan Special Services

Impressive services were held at the Mt. Shiloh Baptist Church last Sunday morning at the 11 a.m. services. The pastor of the church delivered a challenging message for the new year. Special music was rendered by the Sr. Choir. Rev. Mr. Calloway of Altavista, attended the services and gave special remarks at the close of the morning worship.

The general public is cordially invited to attend the regular preaching service at the Galilee Baptist Church this Sunday morning at 11 a.m. At the close of the offering period, Mr. George Stevens will report as the birthday leader for the month of January.

Special installation service for all officers of the Mt. Shiloh Baptist have been set for the fourth Sunday evening in Jan. at 7 p.m. A special program will be given and the Mt. Airy Jr. Choir has been invited to render special music. The members and friends of the church are asked to keep the date in mind.

Mrs. Maggie Tibbs was admitted to the Lynchburg General Hospital last Monday for an operation on her eye.

Mrs. Thelma Hancock of the Promise Land community received minor sergery at the Lynchburg General Hospital last week.

We are happy to report that Mrs. Theda Harris has returned to her home after taking special treatment in the Va. Baptist Hospital in Lynchburg.

The H & H Child Day Care Center was officially opened to the public last Sunday evening. The center is well equipped and staffed to give your child the very best of attention. Friends are invited to visit the center.

All officers and members are asked to attend the regular church meeting of the Promise Land Baptist on Sat. Jan. 23 at 12 o'clock. The annual program of work will be presented by the officers of the church.

The public is reminded of the Farm Machinery Class being opened each Tuesday and Thursday evening from 7 to 10 p.m.

The Mt. Airy Jr. Choir has been invited to render a special musical program at the Shiloh Baptist Church in Blackstone, Va., on the fifth Sunday evening in this month at 6 p.m.

The Promise Land Baptist Church Sunday School will be host to the Cornerstone Fifth Sunday Union this month. Members of the church are asked to cooperate in helping to serve lunch to the delegates. Superintendent William Hancock is asking all members of the school to be present this Sunday morning. Committees will be appointed to help in making arrangements for the union meeting.

APPO PRIMARY MENU

Mon. – Hot Dog with Onions and Dressing, cole slaw, potato chips, cookie, milk.

Tues. – Spaghetti with meat, apple sauce, green vegetable, Tangerine or Orange Sections, milk.

Wed. – Sausage Pattie with Hot Biscuit, apple sauce, green peas, jello with topping, milk.

Thurs. – Hamburger on Bun Green vegetable, potato chips, fruit, milk.

Fri. – School Closed–Teachers Meeting.

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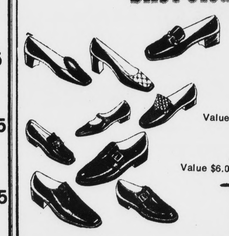

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